

Zoning By-law Amendment Application

Z09-21

Municipal Initiated Amendment
Applicable to all lands within the
Township of North Huron

North Huron Council
January 17, 2022



Background

- Existing Zoning By-law permits cannabis production facilities are permitted in the following zones:
 - General Industrial Zone (IND2), Light Industrial Zone (IND1), General Agricultural Zone (AG1), and Agricultural Commercial/Industrial Zone (AG3)

Proposed Amendment

- General provisions in Section 3.45 including setbacks between facilities and sensitive uses defined as follows:
 - a Residential Zone, Community Facility Zone, commercial recreational facility, park or similar recreational use, dwelling, public school, private school, place of worship, community centre, or a day care.
 - Setbacks are not applicable for dwellings located on the same titled property as the cannabis facility

Proposed Amendment

- In the General Agricultural Zone (AG1), and Agricultural Commercial/Industrial Zone (AG3), a minimum 150 metres setback to sensitive uses is required for facilities with air treatment control and a minimum 300 metres of setback required for facilities without air treatment control

Proposed Amendment

- In the General Industrial Zone (IND2) and Light Industrial Zone (IND1), a minimum 150 metre setback to sensitive uses is required and air treatment control is required, production must be entirely within wholly enclosed buildings

Proposed Amendment

- Provide provisions for the location of accessory security structures, prohibit outdoor storage
- Specify that establishment or expansion of facilities be subject to Site Plan Control

Policy Review

- Zoning By-law Amendments are required to be consistent with the Provincial Policy Statement and conform to the County Official Plan and North Huron Official Plan
- Balance between economic development opportunity and land use compatibility

Comments

- Township of North Huron Staff – no concerns received, provided input on draft by-law
- Other agencies
 - None received at time of report submission
- Neighbours or Members of the Public:
 - None received at time of report submission

Recommended Revisions

The following revision is recommended to the by-law as proposed and originally circulated:

Add the following:

3.28 Planting Strip Requirements

3.28.1 A planting strip shall be provided:

For use of cannabis production facilities on lands zoned General Industrial Zone (IND2) or Light Industrial Zone (IND1) abutting lands that are otherwise not zoned or used for industrial or utilities along the interior or rear lot line

Recommendation

It is recommended that the Zoning By-law Amendment Z09-21 be **approved** subject to the recommended revisions to include references to general provision requirements for planting strips or site fencing.

- Should Council be agreeable to the proposed revisions, it is recommended that Council pass an additional motion that a change has been made to the Zoning By-law, but that no further notification is required. (following slide)

Motion for Revision

- **WHEREAS** the Council of the Township of North Huron has held a public meeting pursuant to section 34(12) of the Planning Act with respect to proposed zoning By-law;
- **AND WHEREAS** certain changes have been made to the proposed By-law after the holding of the public meeting;
- **NOW, THEREFORE**, the Council of the Township of North Huron hereby RESOLVES that, pursuant to section 34(17) of the *Planning Act*, R.S.O. 1990, c. P. 13 the changes were of such a nature that no further notice is to be given in respect of the proposed By-law prior to its passing.

	A. Effect of Public Comments on Decision of Council	B. Effect of Agency Comments on Decision of Council (e.g. Planning, Public Works, Health Unit)
1. Council agrees with effects of input as contained in the planning report	Council concurs with the planning report regarding the effect of public and agency comments on the decision.	
2. No comments received	No public comments were received on this application so there was no effect on the decision.	No agency comments were received on this application so there was no effect on the decision.
3. Supportive comments received	Public comments were received in support of the application, the effect of which resulted in a decision to approve the application.	Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.
4. Concerns raised were addressed through conditions to approval or changes to mapping or text amendment	Public comments were received on the issue(s) of _____. The comments were addressed through (conditions to approval/changes to the mapping or text of the amendment).	Comments were received from agencies on the issues of _____. The comments were addressed through (conditions to approval/changes to the mapping or text of the amendment).
5. Concerns raised did not influence the decision	Public comments were received on the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.
6. Concerns raised did influence the decision	Public comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.	Agency comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.
7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A	Options from above 1B/3B/4B/5B/6B
8. Other	Additional wording deemed appropriate by Council	Additional wording deemed appropriate by Council